

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 AGR-05 SS-15 SP-02 L-03 H-02

NSC-05 AID-05 CEA-01 CIAE-00 COME-00 FRB-03 INR-07

NSAE-00 CIEP-01 STR-04 TRSE-00 LAB-04 SIL-01 SAM-01

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P R 181732Z JUN 75

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC PRIORITY 9080

INFO ALL EC CAPITALS 781

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E.O. 11652: N/A

TAGS: ETRD, EEC, EAGR

SUBJECT: TOBACCO CLASSIFICATION PROBLEM

REFS: A) EC BRUSSELS 9859 (1974)

B) STATE 270348 (1974)

1. OFFICIALS OF THE EC COMMISSION'S "ADMINISTRATION OF THE CUSTOMS UNION" HAVE INFORMED US THAT THE TOBACCO CLASSIFICATION PROBLEM HAS NOW BECOME A LIVE ISSUE. A SHIPMENT OF TOBACCO IN THE CATEGORIES SUBJECT TO THE ARTICLE XXIV:6 CONCESSION, WITH A VALUE OF MORE THAN 280 UNITS OF ACCOUNT PER 100 KILOS, HAS ARRIVED IN ITALY. NEXT WEEK THE ITALIAN GOVERNMENT INTENDS TO RAISE IN AN INTRA-COMMUNITY WORKING GROUP THE QUESTION OF THE PROPER CLASSIFICATION OF THE SHIPMENT IN QUESTION, IN THE ABSENCE OF COMMUNITY SPECIFICATIONS FOR CXT POSITION 24.01A.

2. THE OFFICIALS NOTE THAT THE COMMUNITY'S TARIFF NOMENCLATURE COMMITTEE, WHEN IT EXAMINED THIS QUESTION IN ITS MEETINGS OF DECEMBER 16-20, 1974, DECIDED, WITH NO MEMBER STATE OBJECTING, THAT CLASSIFICATION IN

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POSITION 24.01A SHOULD BE ON THE BASIS OF AN EXPORT

CERTIFICATE. (THE IDEA OF ACCEPTING IMPORTER CERTIFICATION WAS REJECTED.) WHILE THE COMMISSION HAS NOT ISSUED INSTRUCTIONS TO THIS EFFECT--AND THEREFORE HAS LEFT THE ISSUE OPEN IN A CERTAIN SENSE--THE COMMITTEE'S DECISION HAS TO BE GIVEN CONSIDERABLE WEIGHT BY THE COMMISSION.

3. THE COMMISSION HAS THEREFORE POSED TO US THE QUESTION OF WHETHER, DESPITE THE PROBLEMS FORESEEN BY THE USG, IT WOULD NOT BE POSSIBLE FOR THE US TO INSTITUTE A CERTIFICATION SYSTEM. THE CERTIFICATE REQUIRED WOULD BE SIMPLE IN NATURE, COMMISSION OFFICIALS NOTE, BUT WOULD HAVE TO BE ISSUED BY RELIABLE BODIES.

4. IN VIEW OF THE LIKELIHOOD THAT THIS ISSUE CANNOT BE POSTPONED FURTHER, THE MISSION WOULD APPRECIATE INSTRUCTIONS AS TO HOW TO RESPOND TO THE COMMISSION. IF THE US STILL DOES NOT WISH TO INSTITUTE A CERTIFICATION SYSTEM, IT APPEARS THAT A MAJOR EFFORT WILL HAVE TO BE MADE TO PERSUADE THE COMMISSION AND THE MEMBER STATES THAT THERE ARE BETTER WAYS TO IDENTIFY THE TOBACCO ELIGIBLE FOR THE CONCESSION. GREENWALD

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Message Attributes

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Decaption Note:
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Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
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Disposition Event:
Disposition History: n/a
Disposition Reason:
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